

REMARKS

Applicants respectfully request reconsideration of this application as amended. Claims 1-8, 13-27 and 32-43 were pending in the application. Applicants thank the examiner for indicating that claims 1-8, 13-27, and 32-38 have been allowed. Claims 39, 41, and 43 have been amended without adding any new matter. Claims 40 and 42 have been cancelled. No claims have been added. Thus, claims 1-8, 13-27, 32-39, 41, and 43 are pending in the application.

Claims 39, 41, and 43 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent. No. 4,722,008 of Ibaraki et al. (hereinafter "Ibaraki"). The Applicants thank the Examiner for indicating that "the step of pre-warping an input image's color gamut to adjust for the output color gamut," as recited in claims 40 and 43, contains allowable matter (Office Action, mailed 6/1/2005, page 3, paragraph 6). As a result, Applicants have amended independent claims 39, 41, and 43 to substantially include the limitation. Thus, the Applicants submit that claims 39, 41, and 43, as amended, have overcome the rejection and are not anticipated by Ibaraki for at least the reasons discussed above.


Therefore, the Applicants respectfully request withdrawal of the rejections of claims 39, 41, and 43 under 35 U.S.C. § 102(b). Accordingly, Applicants submit that claims 39, 41 and 43 as amended are now in condition for allowance and such action is earnestly solicited.

If there are any additional charges, please charge Deposit Account No. 02-2666 for any fee deficiency that may be due. Please charge any shortages and credit any overcharges to our Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

Dated: 2/1, 2006



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/597,861	06/20/2000	Maya Rani Gupta	74451.P116	5709

7590

11/10/2005

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LOS ANGELES

EXAMINER

LEE, TOMMY D

ART UNIT PAPER NUMBER

2624

DATE MAILED: 11/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Date 12/1/2005 Client: Ricoh Corporation

Docket Initials OP 74451.P116

Dock. Sup. Initials

Atty Initials MJM

Pat/Ser/Reg 597861

Description:

1ae3 x

Response due advisory action, 3rd and final extension

11/15/2005

JOHN_P

481208

**Advisory Action
Before the Filing of an Appeal Brief**

Application No.

09/597,861

Applicant(s)

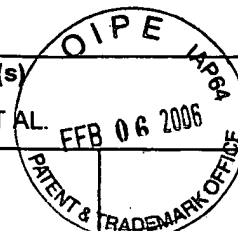
GUPTA ET AL.

Examiner

Thomas D. Lee

Art Unit

2624



--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 06 October 2005 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 4 months from the mailing date of the final rejection.
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: _____.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). _____.
13. ☐ Other: _____.

Thomas D. Lee
Primary Examiner
Art Unit: 2624

Continuation of 11. does NOT place the application in condition for allowance because: applicant's response to the rejection of claims 39, 41 and 43 under 102(b) is not persuasive. Applicant asserts that the cited reference (Ibaraki) fails to disclose "adaptively sizing blocks with edges to create a plurality of blocks without edges," stating that Ibaraki merely separates pixels within the block into two groups so that values can be replaced with an average pixel value. However, by separating the block into the two groups, the block is in fact divided into a block comprising of pixels with values less than an average value, and another block comprising of pixels with values greater than the average value. Noting Fig. 17, the block is divided into two sub-blocks, one where the pixels are all equal to 120, and the other where the pixels are all equal to 40. As the pixels within each sub-block are equal to one another, there is no edge present within the sub-block. Therefore, it is apparent that Ibaraki discloses the adaptive sizing of blocks as recited in the rejected claims.